

HOUSE BILL No. 1794

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3-18.5.

Synopsis: Alcohol server training. Establishes an optional server training program that may be certified by the alcoholic beverage commission if certain criteria are met. Defines "server training program". Establishes criteria that a teacher of a server training program must meet in order to be approved by the commission. Requires certified server training programs to keep records and make reports to the commission. Allows the commission prosecutor to take into consideration as mitigating factors whether an individual: (1) has completed a certified server training program; or (2) has been licensed for less than five months; in prosecuting the employee for a violation of a commission rule.

Effective: July 1, 2001.

Cherry

January 17, 2001, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1794

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 7.1-3-18.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2001]:

4 **Chapter 18.5. Certified Server Training**

5 **Sec. 1. (a) The definitions contained in this section apply**
6 **throughout this chapter.**

7 **(b) "Approved trainer" means a person meeting the following**
8 **requirements:**

9 **(1) Demonstrates a knowledge of the curriculum taught in a**
10 **server training program.**

11 **(2) Is approved by the commission.**

12 **(c) "Commission" means the Indiana alcoholic beverage**
13 **commission.**

14 **(d) "Employee" means a person who:**

15 **(1) sells;**

16 **(2) dispenses; or**

17 **(3) provides;**



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alcoholic beverages for retail sale.

(e) "Server training program" means a program that provides the following information to employees under this chapter:

- (1) Tools to identify an intoxicated person.
- (2) Tools to identify a minor.
- (3) Tips in identifying false identification documents.
- (4) Methods of dealing with a belligerent person.
- (5) Tips in offering customers alternatives to alcoholic beverages.
- (6) Information on criminal and civil liability for violations of this article or any rules established by the commission.

Sec. 2. (a) The commission may certify a server training program.

(b) In order to qualify as a certified server training program, the program must meet the following criteria:

- (1) Be at least four (4) hours long.
- (2) Present at least one (1):
 - (A) video;
 - (B) display card;
 - (C) overhead; or
 - (D) slide presentation;
 relating to any topic taught in a server training program.
- (3) Allow for a time period in which any employee attending the server training program may ask questions.
- (4) Disseminate handouts containing information taught in a server training program to any employee attending a server training program.
- (5) Give a written examination to each student that covers the following topics:
 - (A) Identifying an intoxicated person.
 - (B) Identifying a minor.
 - (C) Identifying false identification documents.
 - (D) Dealing with a belligerent person.
 - (E) Offering customers alternatives to alcoholic beverages.
 - (F) Knowing the criminal and civil liability penalties for violations of this article.

(c) A person operating a server training program may apply to the commission for certification of the program on a form prescribed by the commission. The person shall provide the commission with information about the program, including documentation substantiating that the program complies with subsection (b).



(d) A certified server training program and any teacher of a server training program must receive approval from the commission before making any changes to the program.

(e) The commission may inspect and review a program's training and certification records.

(f) The commission shall assign an identification number to each approved teacher of a server training program.

Sec. 3. (a) The commission shall create a seal for the certification of a server training program.

(b) The commission may sell the seal for a reasonable cost to a person operating a certified server training program.

Sec. 4. (a) Upon a student's successful completion of the server training program, an approved trainer shall complete a certification for the student that states the following:

(1) The date of the server training program.

(2) The approved trainer's name.

(3) The approved trainer's identification number.

(4) The expiration date of the certificate, which is five (5) years after the completion of the program.

(b) An approved trainer shall keep records of any training program conducted under this chapter on a form prescribed by the commission and report the training to the commission in a manner prescribed by the commission.

Sec. 5. When prosecuting an employee under IC 7.1-2-2-5 for a violation of a commission rule, the commission prosecutor may take into consideration as mitigating factors whether an individual:

(1) has successfully completed a certified training program;

or

(2) has been licensed as a server for less than five (5) months.

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